

Testimony of Brianna DeVivo  
Intern, The CT Alliance to End Sexual Violence  
Judiciary Committee  
March 14, 2016

**In Support of:** H.B. 5605, Termination of Parental Rights

Honorable Chairs Senator Coleman, Representative Tong, and the members of the Judiciary Committee, my name is Brianna DeVivo and I am an intern with the Connecticut Alliance to End Sexual Violence. I am testifying in support of House Bill Number 5605, An Act Concerning the Termination of Parental Rights.

One of my projects as a Connecticut Alliance to End Sexual Violence intern has been to research state's evidentiary standards for the termination of parental rights of a rapist. Current Connecticut law requires that in order for a woman who became pregnant as a result of rape to terminate their rapist's parental rights, their rapist must be *convicted* of that sexual assault. This creates a large burden for these mothers, as rape is the most under-prosecuted crime in America *and* only 2% of sexual assault cases result in a conviction. Joined with the reality that between 25,000 and 32,000 pregnancies in the United States occur from rape each year, the need for an update in the standards by which parental rights of rapists are terminated is urgent.

House Bill 5605 would allow victims of rape to terminate the parental rights of the rapist using a clear and convincing standard. This standard is already the typical standard for restriction of custody rights. Survivors of sexual assault should not be unfairly held to a higher standard of proof.

In holding these mothers to an unjust standard, we are forcing many of them into unwanted interactions with their perpetrators. Vermont is one of the states that uses a clear and convincing standard. They felt so strongly about this that they put the following directly into their statute: "*The state has a compelling interest in not forcing a victim of sexual assault or sexual exploitation to continue an ongoing relationship with the perpetrator of the crime. Such continued interaction can have traumatic psychological effects on the victim, making recovery more difficult and negatively affect the victim's ability to parent and to provide for the best interest of the child.*"

Connecticut women who have become mothers through a sexual assault deserve a new, fair, and appropriate standard to allow them to terminate the parental rights of their rapist. I thank you for your time today and urge you to act favorably on House Bill 5605.